

Comments  
of  
**THE UNITED ILLUMINATING COMPANY**  
Before the  
**ENERGY AND TECHNOLOGY COMMITTEE**

Re

**RAISED BILL 5504,  
AN ACT CONCERNING SITING OF  
CELL PHONE TOWERS NEAR SCHOOLS**

And

**RAISED BILL 461,  
AN ACT CONCERNING SITING COUNCIL PROCEEDINGS  
AND DECISIONS**

**LEGISLATIVE OFFICE BUILDING**

**HARTFORD, CT**

**March 18, 2010**

The United Illuminating Company ("UI") is pleased to submit comments to the Energy and Technology Committee on two bills relating to the siting of facilities in the State, **I Raised Bill 5504, AN ACT CONCERNING SITING OF CELL PHONE TOWERS NEAR SCHOOLS, and Raised Bill 461, AN ACT CONCERNING SITING COUNCIL PROCEEDINGS AND DECISIONS.**

The title of **Raised Bill 5504** and its Statement of Purpose indicate that the Bill is intended to relate only to the installation of cell phone towers near schools. UI does not oppose the provisions of Raised Bill 5504 that relate to the siting of cell phone towers. However, UI does oppose the provisions of this Bill that would make significant changes to the siting standards applicable to electric facilities. Lines 185-187 of the Bill would delete the existing section 16-50p(h) standard that "a public need exists for an energy facility if such facility is necessary for the reliability of the electric power supply of the state." This standard has served the State well, by setting forth the fundamental premise that the State needs reliable electric power supply. By deleting this standard, the Bill would likely lead to administrative and court litigation on whether reliability remains a basis for siting, and whether something else in addition to or instead of reliability should be demonstrated for there to be a finding of public need for the facility. This would likely delay the siting and construction of reliability projects, thereby putting the State's electricity reliability in jeopardy. For these reasons we suggest that Section 16-50p(h) should not be deleted as part of **Raised Bill 5504, AN ACT CONCERNING SITING OF CELL PHONE TOWERS NEAR SCHOOLS.**

The Statement of Purpose of **Raised Bill 461, AN ACT CONCERNING SITING COUNCIL PROCEEDINGS AND DECISIONS**, states that the Bill would “add to the considerations the siting council must make before issuing a certificate of public need.” The Bill (at lines 83-84) would add a new subdivision (H) to section 16-50p(a)(3), to require that the Siting Council consider manufacturers’ recommended safety standards for equipment, machinery or technology. The goal of assuring safety is a good one. UI is concerned, however, that it would be impossible for an applicant to comply with the language in the Bill and impossible for the Siting Council to consider and rule upon the information submitted. An electric facility, for example, could have thousands of pieces of “equipment, machinery or technology” from a potentially large number of manufacturers that would need to be examined and reviewed with the fine tooth comb that is apparent in the bill. The Siting Council already has the authority to consider safety issues, and to require that an applicant construct a facility in accordance with applicable safety codes and standards. The Siting Council should not be in the position of seeking to duplicate the work of fire marshals, the National Electric Safety Code, building codes, building inspectors and others whose primary job is the public safety. Indeed, the goal of emphasizing public safety is accomplished at lines 206-208 of the Bill, with the proposed addition of language that requires the Siting Council to consider public safety issues with respect to generating facilities.

If the Committee has any questions, please contact UI’s Senior Director of Government Affairs, Carlos M. Vázquez at 203-521-2455 at your earliest convenience.